

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

On January 28, 2009, the parties filed a Stipulation for Dismissal with Prejudice. The court **ADOPTS** the parties' stipulation (Docket No. 9) and **ORDERS** that the above-entitled action be dismissed with prejudice and without costs to either party.

Dated this 29th day of January, 2009.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge